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**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A SUBMISSION UNDER 35 U.S.C. 371**

ATTORNEY'S DOCKET NUMBER  
**GRIF-002XX**

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)  
**10/573,428**

INTERNATIONAL APPLICATION NO. <b>PCT/AU2004/001307</b>	INTERNATIONAL FILING DATE <b>27 September 2004</b>	PRIORITY DATE CLAIMED <b>25 September 2003</b>
TITLE OF INVENTION <b>METHOD OF OPTICAL DATA STORAGE</b>		
APPLICANT(S) FOR DO/EO/US <b>Mark Andrew Englund; Lars Goran Edvell, Andrew Graf</b>		

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1.  This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
2.  This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
3.  This express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4.  The US has been elected (Article 31).
5.  A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a.  is attached hereto (required only if not communicated by the International Bureau).
  - b.  has been communicated by the International Bureau.
  - c.  is not required, as the application was filed in the United States Receiving Office (RO/US).
6.  An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
  - a.  is attached hereto.
  - b.  had been previously submitted under 35 U.S.C. 154(d)(4).
7.  Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a.  are attached herewith (required only if not communicated by the International Bureau).
  - b.  have been communicated by the International Bureau.
  - c.  have not been made; however, the time limit for making such amendments has NOT expired.
  - d.  have not been made and will not be made.
8.  An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9.  An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10.  An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

**Items 11 to 20 below concern document(s) or information included:**

11.  A Supplemental Information Disclosure Statement under 37 CFR 1.97 and 1.98. (with 5 references enclosed)
12.  An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13.  A preliminary amendment.
14.  An Application Data Sheet under 37 CFR 1.76.
15.  A substitute specification.
16.  A power of attorney and/or change of address letter.
17.  A computer readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821-1.825.
18.  A second copy of the published International Application under 35 U.S.C. 154(d)(4).
19.  A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20.  Other items or information: Copy of 371 FORMALITIES LETTER dated November 29, 2006

This collection of information is required by 37 CFR 1.414 and 1.491-1.492. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/573,428		INTERNATIONAL APPLICATION NO PCT/AU2004/001307		ATTORNEY'S DOCKET NUMBER GRIF-002XX	
The following fees have been submitted:				CALCULATIONS	PTO USE ONLY
21. <input type="checkbox"/> Basic national fee..... \$300.00				\$	
22. <input type="checkbox"/> Examination fee If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4) ..... \$100.00 All other situations ..... \$200.00				\$	
23. <input type="checkbox"/> Search fee Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority ..... \$100.00 International Search Report prepared and provided to the Office ..... \$400.00 All other situations ..... \$500.00				\$	
TOTAL OF 21, 22 and 23 =				\$	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250.00 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
- 100 =	/ 50 =		X \$ 250.00	\$	
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(h)).				\$ 130.00	
CLAIMS		NUMBER FILED	NUMBER EXTRA	RATE	
Total claims		28	- 20 =	X \$ 50.00	\$
Independent claims		5	- 3 =	X \$200.00	\$
MULTIPLE DEPENDENT CLAIM(S) (if applicable)				+ \$360.00	\$
TOTAL OF ABOVE CALCULATIONS =				\$	
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by ½.				\$ 65.00	
				SUBTOTAL =	\$
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(l)).				\$	
				TOTAL NATIONAL FEE =	\$ 65.00
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				+ \$	
				TOTAL FEES ENCLOSED =	\$ 65.00
12/12/2006 MKAYPAGH 00000071 10573428				Amount to be Refunded:	\$
01 FC:2617 65.00 OP				Amount to be Charged:	\$
<p>a. <input checked="" type="checkbox"/> A check in the amount of \$65.00 to cover the above fees, except assignment recordation, is enclosed. A check in the amount of \$_____ is enclosed for the assignment recordation fee.</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$_____ to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Deposit Account No. <u>23-0804</u>. A duplicate copy of this sheet is enclosed.</p> <p>d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p>					
NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.					
SEND ALL CORRESPONDENCE TO:			which is associated with the Law Firm of:		
<input checked="" type="checkbox"/> Customer Number 00207			WEINGARTEN, SCHURGIN, GAGNEBIN & LEBOVICI LLP Ten Post Office Square Boston, Massachusetts 02109 United States Telephone: (617) 542-2290 Fax: (617) 451-0313		
Attorney Signature: 			Date: <u>12-6-06</u>		
Attorney Name: <u>Charles L. Gagnebin III</u>			Registration No: <u>25,467</u>		



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/573,428	Mark Andrew Englund	GRIF002XX
INTERNATIONAL APPLICATION NO.		
PCT/AU04/01307		
00207 WEINGARTEN, SCHURGIN, GAGNEBIN & LEOVICI TEN POST OFFICE SQUARE BOSTON, MA 02109	RECEIVED BY: <i>M</i> DEC 04 2006	I.A. FILING DATE      PRIORITY DATE 09/27/2004      09/25/2003
CONFIRMATION NO. 2016 371 FORMALITIES LETTER		
 *OC000000021396783*		

Date Mailed: 11/29/2006

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 03/24/2006
- Copy of the International Search Report filed on 03/24/2006
- Preliminary Amendments filed on 03/24/2006
- Information Disclosure Statements filed on 03/24/2006
- Small Entity Statement filed on 03/24/2006
- Request for Immediate Examination filed on 03/24/2006
- U.S. Basic National Fees filed on 03/24/2006
- Priority Documents filed on 03/24/2006

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$65** for a Small Entity:

Express Mail Number

EV 560127529 US

- \$65 Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.  
<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

**If you are not using EFS-Web to submit your reply, you must include a copy of this notice.**

LAMONT M HUNTER

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Telephone: (703) 308-9140 EXT 201

**PART 1 - ATTORNEY/APPLICANT COPY**

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U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/573,428	PCT/AU04/01307	GRIF002XX

FORM PCT/DO/EO/905 (371 Formalities Notice)